

FEB 03 2020

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DEWAYNE BAKER,  
Plaintiff,

Civil Action No. 7:19-cv-00806

v.

KING, et al,  
Defendant(s),

MEMORANDUM OPINION

By: Michael F. Urbanski  
Chief United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983.

By order entered December 3, 2109, the court directed plaintiff to submit within 20 days from the date of the order an inmate account form, and a certified copy of plaintiff's trust fund account statement for the six-month period immediately preceding the filing of the complaint, obtained from the appropriate prison official of each prison at which plaintiff is or was confined during that six-month period. On December 30, 2019 the plaintiff returned an inmate account form which included the month of October 2019, however, did not include the other required monthly statements or the certified trust fund account statement signed by the appropriate prison official.

Plaintiff was given one last opportunity to cure those deficiencies by submitting an inmate account form, and a certified copy of plaintiff's trust fund account statement for the required period. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 31<sup>st</sup> day of January, 2020.

/s/ Michael F. Urbanski

Chief United States District Judge